

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

JOE BLOW, *et al.*

§

v.

§

CIVIL ACTION NO. 6:12CV231

PFIZER, INC., *et al.*

§

§

ORDER ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (document #40) recommends that the claims of Kent Lewis be dismissed without prejudice pursuant to Fed.R.Civ.P. 41(a)(2) as a result of Mr. Lewis' oral motion to voluntarily dismiss. An acknowledgment of receipt card reveals that Mr. Lewis received the Report and Recommendation on July 13, 2013. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the oral Motion to Voluntarily Dismiss is **GRANTED** and the claims of Kent Lewis are **DISMISSED** without prejudice pursuant to Fed.R.Civ.P. 41(a)(2). It is further

ORDERED that the claims of Ed Blow, individually and on behalf of the estate of Thomas Wayne Blow, and Larry Blow, individually and on behalf of the estate of Joe Blow, are **DISMISSED** without prejudice pursuant to the Stipulation of Dismissal filed on June 10, 2013.

Any motion not previously ruled on is **DENIED**.

So ORDERED and SIGNED this 5th day of August, 2013.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE